

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Revenue Department - Misuse of rice relating to Food For Work Programme - Disciplinary action initiated against Sri M.Bal Reddy, formerly ARI & MLS Point Incharge, Atmakur (now retired) - Charges framed - Explanation - Enquiry - Report -Communicated -Explanation - Show Cause Notice Issued - Representation - APPSC Concurrence - Imposing a punishment of 50 % cut in pension for a period of five (5) years, besides recovery of the cost of 640 quintals of rice - Orders - Issued.

REVENUE (VIGILANCE.VII(1) DEPARTMENT

G.O.Rt.No. 384.

Dated:18.03.2013

Read the following:

1. From the District Collector, Mahabubnagar Lr.No.A4/1763/ 2002, dt.16.8.2007 received through CCLA Lr.No.VSII(3)/ 850/ 2007, dt.29.10.2007.
2. Govt.Memo.No.6339/Vig.VII(1)/2007-1, dt.14.12.2007.
3. From the Dist.Collector,M'nagar Lr.No.A4/1763/2002,dt.13.6.1
4. Govt.Memo.No.6339/Vig.VII(1)/2007-5, dt.27.6.2011.
5. From the Dist.Collector,M'nagar Lr.No.A4/1763/2002,dt.8.7.11
6. Govt.Memo.No.6339/Vig.VII(1)/2007-6, dt.10.04.2012.
7. Reptn. of Sri M.Bal Reddy, former ARI, Atmakur (now retd) dt.10.5.2012.
8. Govt.Memo.No.6339/Vig.VII(1)/2007-7, dt.26.5.2012.
- 9.From the District Collector, Mahaubnagar Lr.No.A4/1763/2002, dt.14.6.2012.
10. Govt.Memo.No.6339/Vig.VII(1)/2007-8, dt.20.7.2012.
- 11.From the CCLA Lr.No.VSII(2)/VSII(3)/850/07, dt.9.1.13.
12. Govt.Letter.No.6339/Vig.VII(1)/2007-9, dt.07.02.2013.
13. From the APPSC Lr.No.358/RT/1/2013, dt.20.02.2013.

Whereas it has been brought to the notice of the Government that Sri M.Bal Reddy, while working as ARI & MLS Point Incharge, Atmakur, M'nagar District (now retired), has colluded with Sri D.Ravi Kumar, Asst. Executive Engineer (PR), Narva and Stage-II Contractor and diverted 640 quintals of Food for Work rice to open market by maintaining the record as if the rice was delivered to Stage-II Contractor and concerned Fair Price Dealers, though the rice was meant for Food for Work Programme and was not delivered on RO No.318315, 318334, 318336 to the concerned Fair Price Shops. On the said irregularities and based on the report of RDO, the District Collector, M'nagar initiated disciplinary action and framed charges against him vide his proc. dt.5.6.2002 and the charged officer submitted his written statement of defence on 15.7.2002. Further, the Chief Executive Officer, Zilla Parishad was appointed as enquiry officer to conduct regular enquiry into the charges framed against Sri M.Bal Reddy, formerly ARI vide his proc. dt.28.12.2002. After conducting enquiry, the Chief Executive Officer, Zilla Parishad submitted enquiry report on 14.5.2003 stating that the charge-I is proved while the charge-II is not proved.

2. The Dist. Collector, Mahabubnagar vide his letter dt.16.08.2007, has furnished proposals through Chief Commissioner of Land Administration vide his letter dt.29.10.2007 stating that the delinquent officer has retired from service on 31.3.2007 and requested to finalize the disc. action under rule 9 of APRP Rules, 1980.

P.T.O.

3. A copy of the enquiry report submitted by the Chief Executive Officer, Zilla Parishad, Mahabubnagar District has been sent to the AO Sri M.Bal Reddy, formerly ARI & Incharge MLS Point, Atmakur (now retired) directing him to submit his representation on the findings of the Enquiry Report through the reference 4th read above. The Accused Officer did not submit any representation, even though he received a copy of the enquiry report communicated through Govt.Memo. dt.27.6.2011 on 08.7.2011 and therefore it is construed that he has no representation to offer on the findings of the enquiry officer.

4. After careful examination of the matter and keeping in view the enquiry report, Government have provisionally decided to impose a punishment of 50% cut in pension for a period of five (5) years besides recovery of the cost of 640 quintals of rice on Sri M.Bal Reddy, formerly ARI & Incharge MLS Point, Atmakur (now retired). Accordingly, a show cause notice was issued and the individual was directed to submit his representation on the above provisional decision of the Government vide reference 6th read above.

5. In the reference 7th read above, Sri M.Bal Reddy, formerly ARI (now retd) submitted his representation and stated that he worked as MLS point incharge, Atmakur w.e.f. 15.1.2000 to Dec'2001 nearly for more than two years and during the period the DM, APSCSC Ltd, Mahabubnagar has conducted stock verification and reconciliation of issues, deliveries DDs remittance every month and no variation/ malpractice/ diversion/ misuse/ misappropriation of stocks or other things were detected/held proved by the inspecting authorities. He has further stated that as per the duty chart, the MLS point incharge is responsible and accountable for the stocks received and release of stock through Stage-II Contractor of APSCSCL to the FPS Dealers or to any agency as instructed in the RO to be issued by authorized officer. Thus, his role as MLS point incharge is confined to receiving stocks, account for them and release as per the ROs and obtain acknowledgements in token of receipt of stocks and certify for payment of transport charges bill to the Stage-II Contractor of APSCSCL. Thus whatever quantities or stocks he has received have been accounted for and all the releases/ dispatches made by him as per ROs were accounted for. Thus, there is no question of misappropriation or misuse has been raised during the period of his tenure as MLS point incharge, since reconciliation has been done regularly every month and no discrepancy was noticed, and the Stage-II contractor was paid for the total stocks released/ dispatched and transported as per ROs from MLS point from DM, APSCSC Ltd., M'ngar office due to verification. He has also stated that he is neither directly nor indirectly responsible or accountable for any alleged misuse/ misappropriation of food for work rice at the distribution level by the authorities concerned for distribution and execution and implementation of FFW Scheme. He has finally stated that the primary enquiry officer does not know the job chart coupled with responsibilities and accountability of MLS point incharge. That might be the cause which led to construe the assumptive and presumptive charges against him which were also not accurate and specific in nature and is not corroborated with affirmative and substantive evidences. Hence, he has requested to drop further action in the matter.

6. The contents raised by the charged officers has been examined in consultation with the District Collector, M'nagar. Through the reference 9th read above, he has reported that as per the job chart as Incharge MLS point, his duty is confined to receiving the stocks, account for it and to release the stocks as per the ROs and to obtain acknowledgments in token of receipt of stocks and whatever the stocks were received he has accounted for and that all

the releases/dispatches were made by him as per the ROs only. As per the EO report of the CEO, ZPP, M'nagar the rice released vide ROs order No.318315, dt.7.11.01 for 340 Qtls of rice, RO No.318334, dt.10.12.01 for 150 Qts of rice, and RO No.318336, dt.10.12.01 for 150 Qts of rice issued by MPDO, Narwa under FFW Programme to the FP shops of Chittanoor, Nagarkurnool and Peddakadmoor of Narwa (M) in fact has not reached the destination points. No trip sheets for transport of stocks was reported to have been maintained nor acknowledgements of the village elders were obtained in token of having delivered the stocks at the respective FP shop points. He has also reported that, as verified from the connected records and as per the Cir.Instructions issued vide DM, APSCSC Ltd, M'nagar Ref.No.CS4/2268/99, dt.9.9.2000, the MLS point incharge should send the route officer along with the vehicle to ensure delivery of the stocks as per the ROs and to obtain acknowledgments of the concerned FPS Dealers in token of having received the stocks in the presence of the village elders. But the delinquent has not sent the route officer along with the vehicle and simply handed over the receipts to the Stage-II contractor. The FP shop dealers of Chittanoor, Nagalkadmoor and Peddakadmoor villages of Narwa (M), in their depositions given before the RDO, Narayanpet have stated that they have not received the rice stocks released vide RO Nos. 318135, dt.7.12.01, RO No.318336, dt.7.12.01 and RO No.318334, dt.10.12.01. It is evident that Sri M.Bal Reddy, Ex.MLS Point Incharge, Atmakur has facilitated diversion of the rice meant for FFW Programme into black market in collusion with Sri D.Ravikumar, AEE (PR), Narwa.

7. Hence, Government, after careful examination of the entire matter, have decided to confirm the provisional decision to impose a punishment of 50% cut in pension for a period of five (5) years, besides recovery of the cost of 640 quintals of rice on Sri M.Bal Reddy, formerly ARI & Incharge MLS Point, Atmakur (now retired). Accordingly, Government, in consultation with the APPSC, hereby impose a punishment of 50% cut in pension for a period of five (5) years, besides recovery of the cost of 640 quintals of rice on Sri M.Bal Reddy, formerly ARI & Incharge MLS Point, Atmakur (now retired). A copy of the APPSC concurrence is enclosed herewith.

8. The Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad/ District Collector, Mahabubnagar is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration, AP, Hyderabad.
The District Collector, Mahabubnagar.

Copy to:-

Sri M.Bal Reddy, formerly ARI & Incharge MLS Point,
Atmakur (now retired) through Dist.Collector, Mahabubnagar Dist.(w.e)
The Secretary, APPSC, Hyderabad.
The District Treasury Officer, Mahabubnagar.
Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER